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14 Attorneys for Plaintiff
15 VENICE FAMILY CLINIC

16 **UNITED STATES DISTRICT COURT**

17 **CENTRAL DISTRICT OF CALIFORNIA**

18 VENICE FAMILY CLINIC,
19

20 Plaintiff,

21 v.
22

23 THE UNITED STATES SMALL
BUSINESS ADMINISTRATION;
24 ISABELLA CASILLAS GUZMAN, in
her official capacity as administrator of
25 the Small Business Administration;
26 and THE UNITED STATES OF
27 AMERICA,

28 Defendants.

Case No. 2:23-cv-02989 DSF (SKx)

**STIPULATION OF DISMISSAL
[FRCP 41(a)]**

Judge: Hon. Dale S. Fischer

1 Plaintiff Venice Family Clinic ("VFC") and Defendants the United States
2 Small Business Administration, Isabella Casillas Guzman (in her capacity as
3 administrator of the Small Business Administration) and the United States of
4 America hereby stipulate under Federal Rule of Civil Procedure 41(a)(1)(ii)
5 that this action be dismissed as to all claims, causes of action and parties,
6 based on the following conditions agreed to by the parties:

7 1. The U.S. Small Business Administration ("SBA") has issued a
8 Notice of Paycheck Protection Program Forgiveness Payment (attached as
9 Exhibit 1) to VFC for the full loan amount of \$6,672,100.00 in principal and
10 \$137,519.39 interest.

11 2. Defendants, by communications through Counsel on August 3
12 and 11, 2023, stated that the Notice of Paycheck Protection Program
13 Forgiveness Payment (i) supersedes and withdraws the prior SBA loan
14 forgiveness denial and (ii) supersedes any effect of the prior SBA Office of
15 Hearings and Appeals decision vis-à-vis plaintiff (J. Yang e-mail, August 11,
16 2023, attached as Exhibit 2.)

17 Each party will bear that party's own attorney's costs and fees.
18

19 Dated: August 24, 2023

FELDESMAN TUCKER LEIFER FIDELL LLP

20
21 /s/ Scott S. Sheffler

22 By: Scott S. Sheffler (admitted pro hac vice)
23 Mindy B. Pava (admitted pro hac vice)
24 Kathryn E. Doi
25 Victoria A. Felt

26
27 Attorneys for Venice Family Clinic
28

1 Dated: August 23, 2023

E. MARTIN ESTRADA
United States Attorney
DAVID M. HARRIS
Assistant United States Attorney
Chief, Complex and Defensive Litigation
Division
JOANNE S. OSINOFF
Assistant United States Attorney
Chief, General Civil Section

8 /s/ Jasmin Yang

Jasmin Yang
Assistant United States Attorney

10 Attorneys for Defendants

12 **ATTESTATION UNDER LOCAL RULE 5-4.3.4**

14 I, Kathryn E. Doi, am the ECF User whose ID and password are being
15 used to file this **STIPULATION OF DISMISSAL [FRCP 41(a)(1)] AND**
16 **ORDER OF DISMISSAL**. In compliance with Local Rule 5-4.3.4(a)(2), I
17 hereby certify and attest that Defendants' counsel, Jasmin Yang, has
18 concurred in this filing.

19 DATED: August 24, 2023

/s/ Kathryn E. Doi

21 Kathryn E. Doi